FORM PTO-1390 (Modified) (REV 11-98) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)
113.1009	09/720940

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/DE99/01812	June 19, 1999	July 2, 1998

TITLE OF INVENTION

WATER-SOLUBLE NATIVE DRY PLANT EXTRACT, IN PARTICULAR GINKGO BILOBA EXTRACT WITH A HIGH CONTENT OF TERPENOIDS AND FLAVONGLYCOSIDES

APPLICANT(S) FOR DO/EO/US

OSCHMANN, Rainer and GRETHLEIN, Eckhardt

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
   a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ has been transmitted by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
   a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

- **Letter re: Priority**
- **Postcard**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
09/720940	PCT/DE99/01812	113.1009

21. The following fees are submitted:.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

		CALCULATIONS PTO USE ONLY
☐	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO **$1,000.00**	
☒	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but Internation Search Report prepared by the EPO or JPO **$860.00**	
☐	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **$710.00**	
☐	International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **$690.00**	
☐	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **$100.00**	
	ENTER APPROPRIATE BASIC FEE AMOUNT =	**$860.00**
	Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	**$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	14 - 20 =	0	x $18.00	**$0.00**
Independent claims	2 - 3 =	0	x $80.00	**$0.00**
Multiple Dependent Claims **(check if applicable)**			☐	**$0.00**
	TOTAL OF ABOVE CALCULATIONS =			**$860.00**
	Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) **(check if applicable)**. ☐			**$0.00**
	SUBTOTAL =			**$860.00**
	Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +			**$0.00**
	TOTAL NATIONAL FEE =			**$860.00**
	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable).** ☐			**$0.00**
	TOTAL FEES ENCLOSED =			**$860.00**
				Amount to be: refunded $
				charged $

☒ A check in the amount of **$860.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0552** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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William C. Gehris
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38,156
REGISTRATION NUMBER

January 2, 2001
DATE

113.1009

UNITED STATES PATENT & TRADEMARK OFFICE

Application of: Rainer OSCHMANN and Eckhardt GRETHLEIN

Serial No.: To Be Assigned

Filed: Simultaneously Herewith

For: **WATER-SOLUBLE NATIVE DRY PLANT EXTRACT, IN PARTICULAR *GINKGO BILOBA* EXTRACT WITH A HIGH CONTENT OF TERPENOIDS AND FLAVONGLYCOSIDES**

PRELIMINARY AMENDMENT

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

January 2, 2001

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE SPECIFICATION :

On page 1, line 5, please replace "DESCRIPTION" with --BACKGROUND OF THE INVENTION--.

On page 1, before line 6, please insert the following text: --This is a 35 U.S.C. § 371 application of International Application No. PCT/DE99/01812, filed June 19, 1999, which claims priority of German Patent Application No. 198 29 516.2 filed July 2, 1998.--

"Express Mail" mailing label no. EL 743183472 US
Date of Deposit: January 2, 2001
I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, in an envelope addressed to: "Assistant Commissioner for Patents, Washington, D.C. 20231".
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: Samuel Gomez

Samuel Gomez

Before line 12 on page 4, please insert --SUMMARY OF THE INVENTION--.

On page 4, line 12, please replace "The" to --An--.

On page 6, line 9 after "at least 20%", please insert "by mass".

On page 11, after line 18, please insert --BRIEF DESCRIPTION OF THE DRAWING--, followed by --Fig. 1 shows on the right side of the flowchart preferred embodiments of the method of the present invention, with prior art methods shown in the lower left corner.--

On page 11, line 19, please replace "EMBODIMENTS" with --DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS--.

On page 17, line 1, please replace "Claims" with --WHAT IS CLAIMED IS--.

IN THE CLAIMS :

Please cancel without prejudice claims 1-10, corresponding to the entirety of the claims currently pending in the application. Please add new claims 11-24 as follows:

11. (New) A water-soluble, native dry extract consisting exclusively of plant part constituents.

12. (New) The dry extract of claim 11, wherein the plant part constituents comprise Ginkgo biloba leaves.

13. (New) The dry extract of claim 11, wherein the plant part constituents include a drug, terpenlactones and flavonglycosides, a higher percentage content of terpenlactones and the flavonglycosides being present as compared to the drug.

14. (New) The dry extract of claim 11, wherein the extract is a dried primary extract.

15. (New) The dry extract of claim 11, wherein the extract is a partially purified dry extract in comparison with a raw extract, specifically the partially purified dry extract being freed of extraction solvents and constituents cold-precipitated in aqueous solution.

16. (New) The dry extract of claim 11, wherein the dry extract is largely purified in comparison with a raw extract, specifically the largely purified dry extract being freed of extraction solvents, of constituents cold-precipitated in aqueous solution, and of undesired contents that can be separated out via precipitation reactions, adsorption and desorption processes, extraction with n-butanol-type purification procedures.

17. (New) The dry extract of claim 11 comprising a content of:

at least 20 % flavonglycosides by mass,

at least 5 % terpenlactones by mass, and

at most 5 parts per million (ppm) ginkgolic acids.

18. (New) The dry extract of claim 11 comprising a content of:

at least 22 - 27 % flavonglycosides by mass,

at least 5 - 7 % terpenlactones by mass,

at least 2.8 - 3.4 % ginkgolides A, B, C by mass,

at least 2.6 - 3.2 % bilobalide by mass, and

at most 5 ppm of ginkgolic acids.

19. (New) A method of preparation of a water-soluble native dry extract consisting of plant parts, the method comprising the steps of:

(a) manufacture of a hydroalcoholic liquid extract or a dry extract;

(b) if necessary, absorption of the dry extract in at least one of water and organic solvent;

(c) ultrafiltration of the absorbed extract solution or hydroalcoholic liquid extract through a filter with an average pore size ranging from 2000 to 10000 Daltons;

(d) removal of the organic solvent and, if necessary, drying of the ultrafiltrate.

20. (New) The method of preparation of the dry extract of claim 19, wherein the plant parts comprise Ginkgo biloba leaves.

21. (New) The method of preparation of the dry extract of claim 19, wherein absorption of the dry extract in step (b) is performed in a hydroalcoholic solution.

22. (New) The method of preparation of the dry extract of claim 19, wherein the extract being ultrafiltered in step (c) is the hydroalcoholic liquid extract.

23. (New) The method of preparation of the dry extract of claim 19, wherein step (a) of the preparation comprises:

1 - generation of a raw extract via an extraction treatment of desired plant parts with a hydroalcoholic or hydroketonic solution;

2 - removal of the extraction solvent;

3 - removal of undesired, in particular lipophilic constituents in a precipitation reaction through the addition of water and cold treatment;

4 - execution of additional purification procedures, in particular precipitation reactions, adsorption and desorption procedures, extraction procedures and the like to remove additional undesired constituents and enrich desired constituents, removal of the solvent(s) and drying.

24. (New) The method of preparation of the dry extract of claim 19 wherein the extract is used for pharmaceuticals, cosmetics and/or dietary foodstuffs.

REMARKS

Entry of the amendments set forth herein is respectfully requested. The amendments have been made to more clearly define the Applicants' invention and to better conform the application with the U.S. practices. No new matter has been added by way of these amendments.

Applicants believe the application is now in condition for allowance.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By___________________________

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WATER-SOLUBLE NATIVE DRY PLANT EXTRACT, IN PARTICULAR GINKGO BILOBA EXTRACT WITH A HIGH CONTENT OF TERPENOIDS AND FLAVONGLYCOSIDES

Description

The invention relates to a waters-soluble, native dry extract consisting of plant parts, in particular Ginkgo biloba leaves, and a procedure for its manufacture.

In the following, "water-soluble" means soluble and "readily soluble" as defined in the "European Pharmacopoeia" 1997, Edition (official German edition, Deutscher Apotheker Verlag Stuttgart, Govi-Verlag-Pharmazeutischer Verlag GmbH Eschborn).

Preparations based on Ginkgo biloba leaf extracts are used in a variety of ways in medicine and cosmetics. The pharmaceutical effect of Ginkgo biloba extracts can be attributed primarily to the constituents Ginkgo flavonglycosides and terpenoids (e.g., ginkgolides, bilobalide).

Ginkgo biloba extracts can be manufactured in various ways. In one common basic procedure, Ginkgo biloba leaves are first extracted with an extractant consisting of an aqueous solution of a low-aliphatic ketone or an alcohol. The resulting raw extract is subjected to precipitation with water in the cold for purification purposes, and the precipitated waste products, in particular lipophilic constituents, are removed.

Different procedures are known in prior art to further purify this raw extract with the objective of enriching desired constituent groups. Lead precipitation is described in DE 39 40 091 C2, for example, resulting in the removal of many undesired components, but bringing with it the disadvantages associated with the use of lead, in particular a health risk to persons working with the lead and relatively high costs.

DE 39 40 092 C2 proposes an extraction of the primary extract with n-butanol in water instead of lead precipitation, while US 5 637 302 suggests an extraction with n-butanol and toluene. These measures are associated with the disadvantage of using organic solvents that might potentially constitute a health hazard.

In J 27 93 00/1994, the raw extract is adsorbed on polar adsorber resins to enrich the desired valuable products.

In all of these described extracts, constituents of relevance in terms of pharmacological efficacy are enriched, normally in such a way that the ratio of drug to extract measures 30 - 70 to 1. The Gingko biloba dry extracts resulting from this manufacturing procedure all exhibit poor water solubility. For this reason, these extracts are often subjected to additional treatment to improve their known poor water solubility. To this end, various procedures are also known in prior art, but all of them represent only compromise solutions.

EP 0 764 659 A1 describes a procedure for improving the extremely low water solubility of the ginkgolides, which are especially important from a therapeutic standpoint (solubility under 0.02 %), characterized by the execution of a complexing reaction between the ginkgolides and cyclodextrins, and leading to ginkgolide-cyclodextrin complexes that readily enter into solution with water. However, this complexing procedure is very complicated from a technical standpoint.

DE 43 34 600 C2 discloses the use of dimethyl isosorbide and polyalcohol as a solubilization aid for Ginkgo biloba extracts in aqueous solution or a water-oil emulsion.

To improve the water solubility of difficultly water soluble flavonoids, EP 0 577 143 A2 generally proposes that the flavonoids be distributed in a molecularly disperse manner in a basic substance consisting of hydrophilic peptide with a molecular weight exceeding 100 Daltons, especially gelatins, and in so doing keep them in a stable solid or liquid solution.

An alternative procedure is described in EP 0 275 005, namely the conversion of flavonoids with phospholipids as the solubilization agent.

Finally, WO 96/29085 discloses a Ginkgo biloba dry extract preparation containing as a solubilization agent an effervescent mixture of a physiologically compatible acid

or its sodium salt and a physiologically compatible carbonate or hydrogen carbonate.

The mentioned procedures from prior art are all associated in particular with the disadvantage that special solubilization aids or other galenic aids are used during or after manufacture of the extract. In the end, these aids are also contained in the final formulation of the active ingredient, where they are not always desired or can sometimes even be considerably disruptive (e.g., because they bind the ginkgolides in complexes, thereby impeding their liberation).

The object of this invention is to provide a native dry extract consisting of plant parts, which is completely water soluble and exhibits a high content of relevant constituents, in particular a native, completely water-soluble dry extract consisting of Ginkgo biloba leaves with a high content of terpenoids and flavonglycosides, in which the mentioned disadvantages are avoided, and also to provide a procedure for manufacturing such dry extracts.

This object is achieved by providing a dry extract consisting of plant parts, in particular of Ginkgo biloba leaves, which consists exclusively of plant part constituents, i.e., contains no additional substances relative to the extract composition, and in particular lacks any added solubilization aids.

The dry extract according to the invention contains practically all plant constituents desired from a

pharmaceutical, cosmetic and dietetic standpoint, primarily terpenlactones and flavonglycosides, and can in particular readily contain prodelphinidines and other proanthocyanidins.

In a preferred embodiment, the dry extract according to the invention can also have a significantly higher percentage content of terpenlactones and flavonglycosides in comparison to the leaf(drug).

The dry extract according to the invention can involve both the primary or raw extract obtained from the leaf (drug), as well as a partially or largely purified extract. A partially purified extract can be obtained by removing the extraction solvent from the raw extract, and again diluting the raw extract concentrated in this way by adding water, and by subjecting this aqueous extract solution to a cold treatment for precipitating out undesired, primarily lipophilic constituents. For example, a largely purified extract according to the invention is obtained by purifying in a known manner the residue obtained in the above procedure during the precipitation reaction, e.g., via additional precipitation reactions, adsorption and desorption procedures, extraction with n-butanol, etc. (compare DE 39 40 091, DE 30 40 092, US 5,637,302, J 279 300).

The dry extract according to the invention is readily soluble in water, i.e., it is soluble practically without a trace at a volume ratio of at least 1 part extract to 10 parts water per the "European Pharmacopoeia" 1997. A clear

solution comes about, which remains unclouded even after several hours.

Such a dry extract can not only be used to very good effect in pharmaceutical products, but just as well in cosmetic and dietetic products.

One particularly advantageous variant of a dry extract according to the invention is characterized by the fact that it has a content of:

at least 20 % (m/m) flavonglycosides,
at least 5 % (m/m) terpenlactones and
at most 5 ppm ginkgolic acids.

Another, also very advantageous variant of the dry extract according to the invention is characterized by the fact that it has a content of:

at least 22 - 27 % (m/m) flavonglycosides,
at least 5 - 7 % (m/m) terpenlactones,
at least 2.8 - 3.4 % (m/m) ginkgolides A, B, C,
at least 2.6 - 3.2 % (m/m) bilobalide, and
at most 5 ppm of ginkgolic acids.

This variant reflects the data in the monograph entitled "Ginkgo biloba Dry Extract" put out by Commission E of the former Federal Ministry of Health of the Federal Republic of Germany.

The object underpinning the invention is also achieved with a procedure for manufacturing a dry extract according to the invention. This procedure according to the invention

is characterized by the fact that a liquid extract, preferably a hydroalcoholic liquid extract is initially manufactured in any manner desired, in particular in a conventional way with water or organic solvents or mixtures thereof, if necessary via the indirect method of dry extract production to remove undesired solvents not suited for ultrafiltration and subsequent reintroduction of the dry extract in hydroalcoholic solution or another of the mentioned solvents, and that this liquid is then subjected to targeted ultrafiltration. Use is preferably made of filters consisting of polyamide, polypropylene or regenerated cellulose, each with an average pore size ranging from 2000 to 10000 Daltons. The use of filters with roughly a 3000 Dalton pore size is especially preferred. Organic solvents are forcibly removed from the liquid ultrafiltrate, which is then dried as well, if desired. Without being subjected to a final drying stage, the ultrafiltrate minus the organic solvents can be used directly for further processing in pharmaceuticals, cosmetics and/or dietetic foodstuffs.

Therefore, the easiest way to obtain the dry extracts according to the invention described above is to subject raw extracts or partially or largely purified extracts to an ultrafiltration procedure in any manner desired and then drying them. In other words:

The dried extract according to the invention can be obtained by subjecting a primary or raw extract manufactured in a conventional manner to ultrafiltration

and then removing the organic solvent(s) and, if necessary, drying the ultrafiltrate.

The dry extract partially purified in comparison to the raw extract can be obtained by removing the extraction solvent from the raw extract, diluting the raw extract concentrated in this way by adding water, then subjecting the aqueous solution to cold treatment to precipitate out lipophilic constituents, if necessary react the residue with alcohol or another organic solvent suitable for ultrafiltration to improve the dissolving behavior of the extract substances, subsequently subjecting this solution to ultrafiltration and finally removing the organic solvent(s) and, if necessary, drying the ultrafiltrate.

The dry extract largely purified in comparison to the raw extract can be obtained via the following steps: Removing the extraction solvent from the raw extract, diluting the raw extract concentrated in this way by adding water, cold treatment to precipitate out lipophilic constituents, removing undesired constituents from the residue via precipitation reactions, performing adsorption and desorption procedures, extracting with n-butanol, or similar purification procedure, if necessary drying the extract purified in this way to remove solvents not suited for ultrafiltration, reintroducing the dried extract in preferably a hydroalcoholic solution, and subsequently subjecting this preferably hydroalcoholic liquid extract to ultrafiltration and finally removing the organic solvent(s) and, if necessary, drying the ultrafiltrate.

The invention is based on the completely unexpected finding that extract components that impede the water solubility of dry extracts can evidently be removed or at least deactivated just by targeted ultrafiltration, while the composition of the desired constituent groups of the extract remains essentially unchanged. In the case of Ginkgo biloba dry extracts, ultrafiltration causes even those ginkgolides regarded as difficultly soluble to completely dissolve in water.

The combination of extract properties according to the invention, namely water-soluble, native, consisting exclusively of plant part constituents and in particular free of solubilization agents and/or galenic aids, can evidently be brought about solely via ultrafiltration treatment.

The fact that a purely technical step can yield a dry extract completely soluble in water is all the more astounding, since previous solubility improvements for dry extracts could only be achieved by adding galenic aids or solutizers.

The ultrafiltrate freed of organic solvents can also be used directly according to the invention, i.e., without subsequent drying, for further processing, e.g., in pharmaceuticals, cosmetics and/or dietetic foodstuffs.

In the following, the invention will be explained in greater detail based upon a graphic depiction on Fig. 1 and through the use of embodiments.

Based on the example of Ginkgo biloba, Fig. 1 shows the possible methods for manufacturing Ginkgo biloba dry extracts having the most varied of purity levels.
The drug in the form of fresh or dried Ginkgo biloba leaves is the starting material in each case.

A first extract, the primary or raw extract, is manufactured out of these leaves using a hydroalcoholic or hydroketonic solvent.

This raw extract can already be subjected to ultrafiltration and converted into a water-soluble dry raw extract through subsequent drying (method 1).
In many cases, however, it is necessary or desirable to remove unwanted constituents from the raw extract before using it for its intended purpose. To this end, (much of) the extraction solvent(s) is/are generally removed from the extract first, the concentrated raw extract is diluted again by adding water, and this aqueous mixture is subjected to a precipitation reaction via cold treatment, during which primarily lipophilic constituents are precipitated and separated out. This partially purified, liquid extract can then be subjected to ultrafiltration and then dried, yielding a water-soluble, partially purified dry extract (method 2).

However, to manufacture relatively pure extracts in which undesired constituents have been largely removed and desired constituents have been enriched, this pre-purified or partially purified liquid extract is subjected to additional purification procedures, e.g., precipitation reactions as described in DE 39 40 091, or extraction

procedures with n-butanol as described in DE 30 40 092 and US 5,637,302, or adsorption and desorption procedures as described in J 279 300. The largely purified extracts obtained with this purification procedure can then be subjected to ultrafiltration and then dried, either directly if present as liquid extracts and the solvent in question is suitable for an ultrafiltration procedure (method 3), or indirectly, specifically by first concentrating and/or drying to remove unsuitable solvents and subsequently reliquefaction through introduction in a preferably hydroalcoholic solution (method 4). The end product of methods 3 and 4 is a water-soluble, largely purified dry extract according to the invention. The "previous" method shown parallel to method 4 in the figure illustrates the exceeding simplicity of the procedure according to the invention by comparison to the procedure known from prior art for obtaining largely purified dry extracts soluble in water.

Embodiments

In all examples described below, the used starting extracts can be manufactured in various processes, in particular with various extractants, e.g., acetone, ethanol or butanol.

Example 1:

4.65 g of Ginkgo biloba EGb 761 dry extract are set to a 10 % solution with 50 (m/m) % ethanol and filtered in an ultrafiltration system using a polyamide membrane with a pore size of 5000 Daltons. The retentate is again rinsed

six times with 30 ml of 60 (m/m) % ethanol. The solution traversing the filter (= filtrate) is concentrated (e.g., under a vacuum in a rotary evaporator) and dried overnight in a vacuum drying cabinet at 45 °C and < 50 mbar.

Obtained as a final result are 3.47 g of filtrate (= 74.62 % yield) and 1.18 g of retentate (= 25.38 % yield).

Extract analysis revealed the following contents:

	Determined values (Example 1)
Total terpenlactones	6.3 %
Flavonglycosides	24.05 %
Ginkgolic acids	< 5 ppm

The dry extract from the filtrate can be completely and clearly dissolved as a 0.1 % solution in water. The solution does not cloud up while standing for a 2 hour period. Filtering the solution through a filter layer (paper filter, pore size 1 μm) results in only a very slight filter residue of 0.12 % of the weighed extract portion (= dry extract in the solution).

Example 2:

1.3 kg of Ginkgo biloba leaves with 1 % flavonglycosides and 0.26 % terpenlactones are extracted twice by means of vortex extraction with a total of 10.5 kg of 80 (m/m %) ethanol at 60 °C. The raw extract solution with the dissolved constituents is separated from the extracted drug parts using a vacuum nutsche and a Seitz No. 1500 plate filter.

This results in 9.5 kg of filtered raw extract solution with a solids content of 3.85 %. The solution is gently concentrated under a vacuum at a max. product temperature of 65 °C in a ratio of 12 to 1 to a concentrate with 44 % dry residue.

The concentrate is set to 17 % solids content while adding demineralized water, and then cooled to 8 °C overnight. The precipitated water-insoluble constituents are filtered out through a 1500 Seitz plate filter while adding 107.6 g of filter aid ("Filter Cel", Lehman & Voss & Co., Hamburg).
This results in a clear extract solution of 2.4 kg with a solids content of 10 %.

The extract solution is pumped through a column with 0.96 liters of adsorber resin Diaion HP20 from Mitsubishi Chemical. After charging the extract, the column is rinsed with 1.6 liters of demineralized water and 3 liters of 60 (m/m) % ethanol.

The 60 (m/m) % ethanol desorbate in the column with a solids content of 1.6 % (48 g dry of dry extract) is directly filtered using an ultrafiltration system with a polypropylene membrane having a pore size of 5000 Daltons (Dow Danmark). The membrane is rewashed five times with 500 ml of 60 (m/m) % ethanol. The resulting filtrate is gently concentrated under a vacuum and dried overnight in the drying cabinet at 45 °C at < 50 mbar. 36.44 g of dry

extract are obtained in the filtrate, which corresponds to a yield of 2.8 % relative to the used quantity of drug.

Extract analysis:

	Determined values (Example 2)
Total terpenlactones	6.95 %
Total ginkgolides A, B, C	3.51 %
Bilobalide	3.44 %
Flavonglycosides	26.73 %
Ginkgolic acids	< 5 ppm

The water solubility test involves dissolving 1 part extract into 10 parts water while mixing. The extract spontaneously dissolves clear, and can be defined as "readily soluble" according to the "European Pharmacopoeia" 1997. Filtering the solution over a filter layer (paper filter, pore size 1 μm) results in only a very slight filter residue of 0.18 % of the weighed extract portion (= dry extract in solution). Prior to ultrafiltration, the extract is difficultly soluble as defined in the "European Pharmacopoeia" 1997.

Example 3:

98 g of the extract used in 2.2 are dissolved in 1000 ml of 60 (m/m) % ethanol, and filtered using a spiral cartridge S1 Y3 (Amicon) consisting of regenerated cellulose having a pore size of 3000 D. The membrane is rewashed twice with 500 ml of the same solvent.

The resulting filtrate is then gently concentrated under a vacuum and dried overnight in the drying cabinet at 45 °C and < 50 mbar. 76.37 g of dry extract are obtained, corresponding to a yield of 77.9 %.

Extract analysis:

	Determined values (Example 3)
Total terpenlactones	6.77 %
Total ginkgolides A, B, C	3.49 %
Bilobalide	3.28 %
Flavonglycosides	26.02 %
Ginkgolic acids	< 5 ppm

Water solubility is defined as "readily soluble" according to the "European Pharmacopoeia" 1997 (see Example 2). Filtering the solution over a filter layer (paper filter, pore size 1 µm) results in only a very slight filter residue of 0.2 % of the weighed extract portion (= dry extract in solution).

Example 4:

100 g of a Ginkgo biloba dry extract manufactured as instructed in German Patent DE 39 40 092 are dissolved in 1000 ml of 60 (m/m) % ethanol and ultrafiltrated using a polypropylene membrane having a pore size of 10000 Daltons. The membrane is rewashed twice with 1000 ml of the same (aforementioned) solvent. The resulting filtrate is gently concentrated under a vacuum and dried overnight at a temperature of 45 °C and pressure of < 50 mbar. 82.64 g of extract are obtained, whose content of terpenlactones, ginkgolides A, B and C, bilobalidene, flavonglycosides and

ginkgolic acids lies within the respective range defined in the monograph entitled "Ginkgo biloba Dry Extract" put out by Commission E of the former Federal Ministry of Health of the Federal Republic of Germany.

6 g of this dry extract are dissolved in 50 g of demineralized water. Water solubility is defined as "readily soluble" according to the "European Pharmacopoeia" 1997. Filtering the solution over a filter layer (paper filter, pore size 1 μm) results in only a very slight filter residue of 0.63 % of the weighed extract portion (= dry extract in solution).

Example 5: Control Tests

a) 5 g of Ginkgo biloba dry extract EGb 761 are dissolved in 50 g of demineralized water. Water solubility is defined as difficultly soluble according to the "European Pharmacopoeia" 1997. Filtering the solution over a filter layer (paper filter, pore size 1 μm) results in filter residues averaging 18.2 % of the weighed extract portion (= dry extract in solution).

b) 5 g of Ginkgo biloba dry extract manufactured according to the ethanol method (per JP 279 300) and without ultrafiltration are dissolved in 50 g of demineralized water. Water solubility is defined as difficultly soluble according to the "European Pharmacopoeia" 1997. Filtering the solution over a filter layer (paper filter, pore size 1 μm) results in filter residues averaging 15.2 % of the weighed extract portion (= dry extract in solution).

Claims

1. Water-soluble, native dry extract consisting of plant parts, in particular Ginkgo biloba leaves, characterized by the fact that it consists exclusively of plant part constituents, and in particular has no solubilization agents and/or galenic aids.

2. Dry extract according to claim 1, characterized by a higher percentage content of terpenlactones and flavonglycosides in comparison to the drug.

3. Dry extract according to claim 1 or 2, characterized by the fact that the extract is a dried primary extract = raw extract.

4. Dry extract according to claim 1 or 2, characterized by the fact that the extract is a partially purified dry extract in comparison with the raw extract, specifically one freed of extraction solvents, and of constituents precipitated in aqueous solution in the cold.

5. Dry extract according to claim 1 or 2, characterized by the fact that the extract is a dry extract largely purified in comparison with the raw extract, specifically one freed of extraction solvents, of constituents precipitating in aqueous solution in the cold, and of undesired contents that can be separated out via precipitation reactions, adsorption and desorption processes, extraction with n-butanol and similar purification procedures.

6. Dry extract according to claim 1, characterized by a content of

at least 20 % (m/m) flavonglycosides,
at least 5 % (m/m) terpenlactones and
at most 5 ppm ginkgolic acids.

7. Dry extract according to claim 1, characterized by a content of:

at least 22 - 27 % (m/m) flavonglycosides,
at least 5 - 7 % (m/m) terpenlactones,
at least 2.8 - 3.4 % (m/m) ginkgolides A, B, C,
at least 2.6 - 3.2 % (m/m) bilobalide, and
at most 5 ppm of ginkgolic acids.

8. Procedure for manufacturing a water-soluble native dry extract consisting of plant parts, in particular Ginkgo biloba leaves, characterized by the number and sequence of the following procedural steps:

(a) manufacture of a hydroalcoholic liquid extract or a dry extract according to any procedure desired;
(b) if necessary, absorption of the dry extract in water or organic solvent or mixtures thereof, preferably in hydroalcoholic solution;
(c) ultrafiltration of the preferably hydroalcoholic extract solution through a filter with an average pore size ranging from 2000 to 10000 Daltons;
(d) removal of the organic solvent(s) and, if necessary, drying of the ultrafiltrate.

9. Procedure according to claim 8, characterized by the fact that the dry extract in step (a) is manufactured according to a procedure with the following specified number and sequence of procedural steps:

- generation of a raw extract via the extraction treatment of desired plant parts with a hydroalcoholic or hydroketonic solution;
- removal of the extraction solvent;
- removal of undesired, in particular lipophilic constituents in a precipitation reaction through the addition of water and cold treatment;
- execution of additional purification procedures, in particular precipitation reactions, adsorption and desorption procedures, extraction procedures and the like to remove additional undesired constituents and enrich desired constituents, removal of the solvent(s) and drying.

10. Use of the extract according to one of claims 1 to 7 to manufacture pharmaceuticals, cosmetics and/or dietary foodstuffs.

WATER-SOLUBLE NATIVE DRY PLANT EXTRACT, IN PARTICULAR GINKGO BILOBA EXTRACT WITH A HIGH CONTENT OF TERPENOIDS AND FLAVONGLYCOSIDES

ABSTRACT

The waters-soluble, native dry extract consisting of plant parts, in particular Ginkgo biloba leaves, consists exclusively of plant part constituents, i.e., contains no additional substances relative to the extract composition, and in particular lacks any added solubilization aids. The procedure for its manufacture is characterized by the fact that a preferably hydroalcoholic liquid extract is first manufactured in any way desired, and then subjected to targeted ultrafiltration.

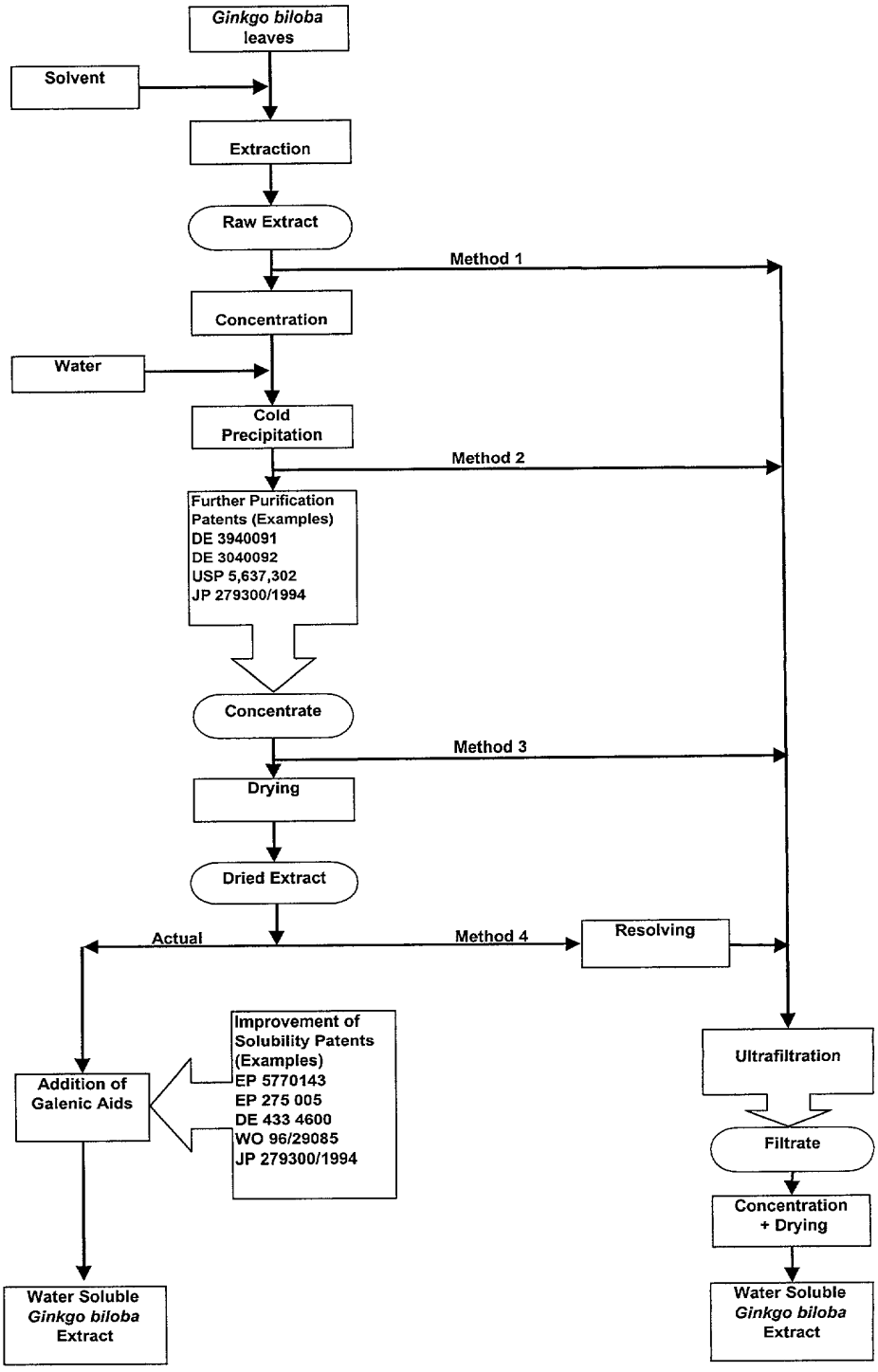
Ginkgo biloba leaves
Solvent
Extraction
Raw Extract
Method 1
Concentration
Water
Cold Precipitation
Method 2
Further Purification Patents (Examples)
DE 3940091
DE 3040092
USP 5,637,302
JP 279300/1994
Concentrate
Method 3
Drying
Dried Extract
Actual
Method 4
Resolving
Improvement of Solubility Patents (Examples)
EP 5770143
EP 275 005
DE 433 4600
WO 96/29085
JP 279300/1994
Addition of Galenic Aids
Ultrafiltration
Filtrate
Concentration + Drying
Water Soluble Ginkgo biloba Extract
Water Soluble Ginkgo biloba Extract

Fig. 1

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DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **WATER-SOLUBLE NATIVE DRY PLANT EXTRACT, IN PARTICULAR GINGKO BILOBA EXTRACT WITH A HIGH TERPENOID AND FLAVON GLYCOSIDE CONTENT** the specification of which (check one)

___ is attached hereto
___ was filed on June 19, 1999 as International Application Serial No. PCT/DE99/01812 and was amended on (if applicable).
___ I hereby authorize and request our attorney, Davidson, Davidson & Kappel, LLC. of 1140 Avenue of the Americas, New York, New York 10036 to insert here in parentheses (Application number _____, filed _____) the filing date and application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, '1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, '119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR APPLICATION(S)			Priority claimed	
198 29 516.2	Germany	2 July 1998	X	___
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
___	___	___	___	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, '120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, '112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, '1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial Number)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint Clifford M. Davidson, Registration No. 32,728, Leslye B. Davidson, Registration No. 38,854, Cary S. Kappel, Registration No. 36,561, William C. Gehris, Registration No. 38,156, Morey B. Wildes, Registration No. 36,968, Robert J. Paradiso, Registration No. 41,240, Scott L. Appelbaum, Registration No. 41,587, Cynthia R. Moore, Registration No. 46,086, David Knasiak, Registration No. 45,991, Salvatore J. Maiorino, Registration No. 42,830, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 1140 Avenue of the Americas, 15th Floor, New York, New York 10036; Telephone: (212) 997-1028; Fax: (212) 997-1037.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00

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